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REPORT

RESPECTING

Offices under the Crown of IRELAND, which ſhall Diſqualify Perſons from Sitting in the Houſe of Commons of the United Parliament.

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REPORT.

THE SELECT COMMITTEE appointed to conſider of ſo much of the Fourth Article of the Union between Great Britain and Ireland, as enacts—That no greater Number of Members than Twenty, holding Offices or Places of Profit under the Crown of Ireland, ſhall be capable of ſitting in the Houſe of Commons of the Parliament of the United Kingdom, until an Act ſhall have paſſed in the ſaid Parliament, providing in what Caſes Perſons holding ſuch Offices or Places ſhall be capable of being Members of the ſaid Houſe of Commons—and to conſider in what Caſes Perſons holding ſuch Offices or Places, ſhall be declared to be liable to ſuch Incapacity; and to report their Opinion thereupon to the Houſe;—

HAVING proceeded to conſider the ſeveral Matters to them referred, have thought it incumbent upon them, in the firſt Place, to look into the ſeveral Laws, whereby Perſons have been heretofore diſqualified from ſitting in the Houſe of Commons of the reſpective Parliaments of Great Britain and Ireland.

Upon this Reſearch, it has appeared to Your Committee, That ſeveral Laws of this Nature were enacted for ſecuring the

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the Freedom and Independence of the Houſe of Commons of England, antecedently to the Union with Scotland; and that many Acts, for the ſame Purpoſes, have been paſſed in the Parliament of Great Britain from that Period. In Ireland, the firſt Laws of this Nature were paſſed in the Reign of His preſent Majeſty; the moſt comprehenſive of them was enacted within a very few Years paſt, and has been ſince extended to other Caſes, which although not falling within the expreſs Terms of it, were conſidered to be within the ſame Rule of Policy; but the Laws reſpecting the Parliament of Ireland, are manifeſtly much more circumſcribed in their Operation, than thoſe which have been made for the ſame Purpoſes, as applicable to the Parliament of Great Britain.

With a View therefore to fulfil the particular Duty required of Your Committee, and to lay the Foundation for a new Law, declaring in what Caſes any Perſons holding Offices of Profit under the Crown of Ireland, ſhall be incapable of ſitting in the Houſe of Commons of the United Parliament, it has appeared to Your Committee, that it would be adviſable to eſtabliſh a Similarity of Syſtem upon this Subject in both Parts of the United Kingdom, ſo far as Circumſtances will allow; and that all Offices in Ireland, of the ſame Deſcription as thoſe which have diſqualified the Perſons who held them from being elected to ſerve as Members of the Houſe of Commons of Great Britain, ſhould alſo diſable any Perſons who hold them from being elected to ſerve in the United Parliament; and Your Committee have accordingly prepared a Liſt of all ſuch Offices as have appeared to them to be of that Deſcription; ſubmitting nevertheleſs to the Wiſdom of the Houſe, the Propriety of adding to, or excepting thereout, any ſuch Offices as, from peculiar Circumſtances of Policy, or local Convenience, it may be thought beneficial, for the Public Service, to conſider as fit Caſes for departing from that Principle of Conformity, which Your Committee have judged to be the beſt general Line for the Government of their own Opinion upon this Subject.

Your

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Your Committee have therefore come to the following Reſolutions; viz.

Resolved,

That it is the Opinion of this Committee, That from and after the Diſſolution or other Determination of this preſent Parliament, no Perſon who ſhall, by himſelf or his Deputy, or any other in Truſt for him, or for his Benefit, take, hold, enjoy, or execute, or continue to hold, enjoy, or execute, any of the Offices, Employments, or Places of Profit, hereinafter mentioned, in or for that Part of the United Kingdom called Ireland, ſhould be capable of being elected or choſen a Member of, or of ſitting or voting as a Member of the Houſe of Commons of, any Parliament of the ſaid United Kingdom of Great Britain and Ireland, in any Parliament which ſhall hereafter be ſummoned and holden: That is to ſay,

No Perſon who ſhall be a Commiſſioner of Cuſtoms, Exciſe, or Stamps, or who ſhall be concerned, directly or indirectly, in the farming, collecting, or managing any of the Sums of Money, Duties, or other Aids heretofore granted, or which ſhall hereafter be granted by any Act of Parliament, to His Majeſty, His Heirs or Succeſſors, (except the Commiſſioners of the Treaſury and their Secretary): See Engliſh Stat. 5 W. & M. c. 7. 11, 12 W. III. c. 2. 12, 13 W. III. c. 10.

Nor any Perſon who ſhall be a Commiſſioner for determining Appeals concerning the ſaid Duties of Cuſtoms, Exciſe, and Stamps, or for controuling or auditing the Account of the ſaid Duties, (except the Auditor General of the Exchequer):

Nor any Perſon who ſhall be a Commiſſioner of Impreſt Accounts:

Nor any Agent for any Regiment: See Brit. Stat. 6 Ann. c. 7.

Nor any Perſon who ſhall, directly or indirectly, himſelf, or by any Perſon whatſoever in Truſt for him, or for his Uſe or Benefit, or on his Account, undertake, execute, hold, or enjoy, or continue to execute, hold, or enjoy, in the Whole or in Part, any Contract, Agreement, or Commiſſion made or entered See Brit. Stat. 22 G. III. c. 45.

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into under or from the Commiſſioners of His Majeſty's Treaſury in Ireland, or with any One or more of ſuch Commiſſioners, or with any other Perſon or Perſons whatſoever, for or on Account of the Public Service in Ireland; or who ſhall knowingly and willingly furniſh or provide, in purſuance of any ſuch Agreement, Contract, or Commiſſion, which he or they ſhall have made or entered into as aforeſaid, any Money to be remitted Abroad, or any Wares or Merchandize to be uſed or employed in the Service of the Public, during the Time that he ſhall execute, hold or enjoy, any ſuch Contract, Agreement, or Commiſſion, or any Part or Share thereof, or any Benefit or Emolument ariſing from the ſame (except Perſons who ſhall be Members of any incorporated trading Company now exiſting or eſtabliſhed in Ireland, and conſiſting of more than Ten Perſons, ſo far as relates to any Contract, Agreement, or Commiſſion, which now is, or ſhall or may hereafter be made, entered into, or accepted by ſuch Company in its Corporate Capacity, for the general Benefit of ſuch Incorporation or Company):

See Brit. Stat. 15 Geo. II. c. 22.

Nor any Deputies or Clerks in any of the ſeveral Offices following; (that is to ſay) The Office of Lord High Treaſurer, or the Commiſſioners of the Treaſury (except the Secretary of the Treaſury); or of the Auditor of the Receipt of His Majeſty's Exchequer; or of the Tellers of the Exchequer; or of the Chancellor of the Exchequer (except the Secretary of the Chancellor of the Exchequer); or of the Commiſſioners of the Stamps; or of the Commiſſioners of Appeals:

See Iriſh Stat. 33 Geo. III. c. 41. 38 Geo. III. c. 36.

Nor any Perſon who ſhall have, in his own Name, or in the Name of any Perſon or Perſons in Truſt for him or his Benefit, any Office or Place of Profit, from or by the Nomination or Appointment, or by any other Appointment, ſubject to the Approbation of the Lord Lieutenant, Lord Deputy, Lord Juſtices, or other Chief Governor or Governors of that Part of the United Kingdom called Ireland, created or erected at any Time after the paſſing of an Act of the Parliament of Ireland, in the Thirty-third Year of the Reign of His preſent Majeſty, intituled, "An Act for ſecuring the Freedom and "Independence of the Houſe of Commons, by excluding "therefrom

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" therefrom Perſons holding any Offices under the Crown to " be hereafter created, or holding certain Offices therein enu- " merated, or Penſions for Terms or Years, or during His " Majeſty's Pleaſure."

RESOLVED,

THAT it is the Opinion of this Committee, That nothing in the preceding Reſolution ſhould extend, or be conſtrued, to exclude any Perſon having or holding any Office, Place, or Employment for Life, or for ſo long as he ſhall behave himſelf well in his Office, other than and except the Commiſſioners of Impreſt Accounts and all Perſons concerned in the managing, collecting, or farming of any Sums of Money, Duties, or other Aids granted or to be granted to His Majeſty, His Heirs or Succeſſors.

See Brit. Stat. 15 Geo. II. c. 22. 25 Geo. III. c. 52.

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